

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 001411

SIPDIS

SIPDIS

E.O. 12958: DECL: 03/06/2016

TAGS: PGOV PHUM TH SNAP

SUBJECT: THAILAND POLITICAL CRISIS: WHAT IT'S ABOUT, AND
WHAT WE SHOULD DO

REF: A. BANGKOK 1208

B. BANGKOK 0959

C. BANGKOK 0538

Classified By: Ambassador Ralph L. Boyce, reasons 1.4 (b) (d)

¶1. (C) We are not likely to see an early resolution of the political confrontation between Prime Minister Thaksin and his opponents. To facilitate better understanding of possible outcomes and the significance of these events for the U.S.-Thai relationship, and to contemplate the best way to position the USG vis--vis these unfolding events in Thailand, we offer the following analysis and suggestions.

WHAT'S NOT HAPPENING

¶2. (C) What we are witnessing is not a power struggle between the boycotting opposition parties and the Prime Minister. The three boycotting parties are not leading the opposition to the Prime Minister, rather, they are being dragged in its wake. They decided on the boycott strategy with great reluctance, and only when it became clear that they would be severely criticized by the activist groups leading the anti-Thaksin demonstrations if they participated in the polls. Until Thaksin dissolved parliament, the opposition Democrats were still trying to use more conventional legal mechanisms to uncover Thaksin's unethical or illegal dealings and to hold him accountable in that way.

¶3. (C) This is not about reducing Thai Rak Thai's majority in the Parliament. The opposition movement -- NGOs and civil society groups -- raises no objection per se to another TRT leader taking over as Prime Minister. Many people who oppose Thaksin personally, even vehemently, nonetheless support many of the TRT policies. The leaders of the protest movement have, for the most part, no strong ties to any political party.

¶4. (C) The opposition boycott is neither unconstitutional nor illegal. The Democrats point out that this is not the first time they have used this tool: they boycotted the elections of 1952 to protest military rule. The boycott may prove to be unpopular (public opinion polls present a mixed picture so far) and the opposition parties know it may cost them in the polls during subsequent elections, but they made their calculation and decided it was a political gamble worth taking.

¶5. (C) This impasse will not last forever. Thailand will host dozens of VIP visitors, including many of the crowned heads of Europe, beginning in early June to celebrate the King's 60th anniversary on the throne. The significance of this anniversary for the Thai people cannot be overstated. Our contacts are virtually unanimous in predicting that the crisis will be resolved before the anniversary gets underway.

¶6. (C) Are the "elite" in Bangkok taking an undemocratic stance in trying to oust a popularly-elected leader? There is an element of truth to this accusation, but it is not the whole story. The Bangkok elite never really warmed to what they see as the nouveau-riche, upstart, know-it-all Prime Minister and his very un-Thai abrasiveness. Initial support from some who liked Thaksin's "fresh" thinking on the economy and his appeal to Thai nationalism faded as questions about his ethics and his effectiveness as national leader grew. Many Bangkok residents are convinced that although government corruption across-the-board is no worse than with previous administrations, corruption at the top is the worst it has ever been. Following the promulgation of the 1997 constitution, the Thai Senate and a variety of independent institutions were supposed to play an important checks-and-balances role, but Thaksin has neutralized almost all of them. In the opposition view, with no viable legal venues left to hold Thaksin accountable for anything, there was little recourse but to take the argument to the street (ref A).

WHAT'S IT ALL ABOUT?

¶7. (C) This struggle is to ensure that Thailand is a genuine democracy, with checks and balances on power that work in a

Thai context. It is the second act of the story which started with the 1992 pro-democracy demonstrations, followed by the efforts to put in place a new constitution to ensure civilian government that was both effective and democratic. The 1997 constitution is a good document, but, like a new roof, it sprang leaks in some places. Thaksin, with steely efficiency, exploited these leaks to his political advantage over the past 5 years. While most of Thaksin's current critics castigate him for a wide variety of reasons, including their personal self-interest, the controversy over the Shin Corp sale (ref C) turned out to be the last straw, the single issue around which a fractious array of Thaksin opponents could galvanize. Tellingly, many of his old allies turned against him. In this conflict, Thai society is sorting out some important questions: how much corruption is just too much? How do you balance the right of the citizens to elect whomever they choose with the need of society to have respect for the rule of law? What kinds of checks and balances are necessary to keep society just, and how do you make them work?

18. (C) Thaksin has been accused throughout his term of office of a variety of illegal or unethical actions in connection with his family's Shin Corp. When he was first accused of concealing his assets, the Constitutional Court issued a controversial acquittal in 2001. It is widely believed that Thaksin paid off judges in order to secure this 8-7 decision. When a journalist wrote about the degree to which Shin Corp had benefited from the Thaksin government's policies, the company sued her for libel, and she is facing a possible fine of usdols 10 million and two years in prison. Frustration over the PM's impunity in relationship to Shin Corp dealings reached a head in February, when the Constitutional Court refused to consider the petition from 28 Senators to review the Shin Corp deal and examine whether the PM had violated Thai law. Ironically, it is possible that this controversial sale was at least technically legal. But, just as there is no institution in this country that has the power to convict Thaksin, there also appears to be no institution that has the moral authority to acquit him.

WHAT ABOUT THE U.S.?

19. (C) As in other places around the world, Thais tend either to look to the US for leadership or blame the US for what goes wrong. In 1992, reports that the US believed the leading civilian candidate for PM was involved in drug trafficking circulated widely. Our opposition to that candidate was the opening utilized by junta leader General Suchinda to claim the top job, the act that led to the prodemocracy demonstrations and the violence that accompanied them. During this past year, opposition elements seized on our FTA negotiations as a club with which to beat the PM.

110. (C) That said, it is particularly striking that neither side is asking for the US to take their part in the ongoing struggle. We have regular contacts with the protest movement, the opposition parties, the military and with leaders in the TRT, including the embattled PM himself. We talk to journalists and academics. As rumors fly, everyone wants to know what we know -- but no one has asked us what to do. The Thai seem prepared to work this out themselves, in the context of their constitution (with all its quirks). The US does have a role to play: emphasizing the need for all parties to use peaceful means and to find a just solution. If either side begins to use violence or improper means (vote-buying, intimidation, etc. then we will want to use public statements and private channels to voice our concern. For the time being, respecting the collective Thai ability to sort their way through the current impasse is the best thing we can do for Thai democracy and our bilateral relationship.
BOYCE